

01  
02  
03  
04  
05 UNITED STATES DISTRICT COURT  
06 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

07 UNITED STATES OF AMERICA, ) CASE NO. MJ 17-429  
08 Plaintiff, )  
09 v. ) DETENTION ORDER  
10 NABIL SAYYID HESTER, )  
11 Defendant. )  
12 \_\_\_\_\_ )

13 Offenses charged: Three count Complaint:

- 14 1. Felon in Possession of Three Firearms  
15 2. Possession of Heroin with Intent to Distribute  
16 3. Possession of Firearm (Colt .45 pistol) in furtherance of a drug trafficking crime

17 Date of Detention Hearing: October 20, 2017.

18 The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and  
19 based upon the factual findings and statement of reasons for detention hereafter set forth,  
20 finds that no condition or combination of conditions which defendant can meet will  
21 reasonably assure either the safety of other persons and the community or that defendant will  
22 make his future appearances as directed.

01                    FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

02            (1) The affidavit in support of the complaint recites that defendant is well known to the  
03                    affiant and to other law enforcement officers as a frequent dealer of heroin on the  
04                    streets, and that defendant freely admits this. He has been arrested many times for this  
05                    conduct.

06            (2) He was arrested on this occasion while attempting to make a sale of heroin to an  
07                    undercover officer. When arrested, he possessed two baggies of heroin, and carried a  
08                    loaded pistol in his waistband.

09            (3) He told the officers he was living in a motel room, and that they would find guns  
10                    drugs and money in that room. The room was searched, and the officers found heroin  
11                    and cocaine, the two additional firearms charged in the complaint, and \$500 in cash.

12            (4) Defendant's criminal record includes at least five prior felony convictions: (a) felony  
13                    possession of marijuana in Florida, 2010; (b) Battery and Robbery, in Florida, 2011;  
14                    (c) failure to appear, in Florida, 2010; (d) and (e) two convictions for conspiracy to  
15                    possess heroin, in King County, April of 2017.

16            (5) He advised this court's pretrial services officer he has been unemployed since 2014.  
17                    In a hearing in Superior Court earlier this year, defendant advised the court that in the  
18                    past six years his only income has been from selling heroin.

19            (6) Defendant admits he has used heroin until two days ago. He also is a regular user of  
20                    marijuana.

01 (7) He claims to have relatives and friends in this area, and proposes to stay with them  
02 when released on bond. But he has been living at the Hillside Motel, not with any  
03 relatives or friends, and does not know their addresses.

04 (8) Defendant presents a danger to other persons and the community, and a  
05 significant risk of non-appearance. There are no conditions of release he can meet  
06 which would adequately address these risks.

07  
08 It is therefore ORDERED:

- 09 1. Defendant shall be detained pending trial and committed to the custody of the  
10 Attorney General for confinement in a correction facility separate, to the extent  
11 practicable, from persons awaiting or serving sentences or being held in custody  
12 pending appeal;
- 13 2. Defendant shall be afforded reasonable opportunity for private consultation with  
14 counsel;
- 15 3. On order of the United States or on request of an attorney for the Government, the  
16 person in charge of the corrections facility in which defendant is confined shall deliver  
17 the defendant to a United States Marshal for the purpose of an appearance in  
18 connection with a court proceeding;

01 4. The Clerk shall direct copies of this Order to counsel for the United States, to counsel  
02 for the defendant, to the United States Marshal, and to the United States Pretrial  
03 Services Officer.

04 DATED this 20th day of October, 2017.

05 s/ John L. Weinberg  
06 United States Magistrate Judge  
07  
08  
09  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22